Technical Appendices

Appendix G - Hazards and Hazardous Materials

Twining Laboratories, Inc. Phase I Environmental Site Assessment, Northeast of Interstate 101 and Cochrane Road, Morgan Hill, Santa Clara County, California. June 2004.

Twining Laboratories, Inc. Results of Phase II Assessment at Site Located Northeast of the Intersection of Interstate 101 and Cochrane Road, Morgan Hill, California. February 2005.

Twining Laboratories, Inc. <u>Supplemental Letter Regarding Morgan Hill Site.</u> February 2005.

Bovee Environmental Management, Inc. <u>Asbestos and Lead-Based</u> Paint Reconnaissance, 66-Acre Property: NEC Hwy 101 & Cochrane Road, Morgan Hill, California. February 2005.

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PHASE I ENVIRONMENTAL SITE ASSESSMENT NORTHEAST OF INTERSTATE 101 AND COCHRANE ROAD MORGAN HILL, SANTA CLARA COUNTY, CALIFORNIA

Prepared For:

Browman Development Company 100 Swan Way, Suite 206 Oakland, California 94621

Prepared By:

The Twining Laboratories, Inc. 2527 Fresno Street
Fresno, California 93721

A07261.01

June 21, 2004

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ACRONYMS

AST(s) Aboveground Storage Tank(s)

AWP Annual Workplan

CAL-EPA State of California, Environmental Protection Agency

CERCLIS Comprehensive Environmental Responsibility, Compensation, and Liability

Information System

CIWMB California Integrated Waste Management Board

CRWQCB-CVR California Regional Water Quality Control Board, Central Valley Region

DTSC Department of Toxic Substances Control
ERNS Emergency Response and Notification System

SCCAO Santa Clara County Assessor's Office

SCCEHD Santa Clara County Environmental Health Department

SCCRO Santa Clara County Recorder's Office
LUST Leaking Underground Storage Tank

NPL National Priority List

RCRA Resource Conservation and Recovery Act

SWIS Solid Waste Information System
SWRCB State Water Resource Control Board

TSD Hazardous Waste Transport, Storage, or Disposal Facilities

US EPA United States Environmental Protection Agency

UST(s) Underground Storage Tanks(s)

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1.0 INTRODUCTION

The Twining Laboratories, Inc. (Twining) was retained by Browman Development Company to conduct a Phase I Environmental Site Assessment (Phase I) for the property located northeast of the intersection of Interstate 101 and Cochrane Road, in the city of Morgan Hill, Santa Clara County, California (Site). This Phase I was conducted in general conformance with the methods and procedures described in the American Society for Testing and Materials (ASTM) "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (Standard Designation E 1527-00), published July 2000, and in accordance with Twining's proposal to Browman Development Company, dated February 25, 2004.

1.1 Objective

The objective of this assessment is to identify recognized environmental conditions located at the Site or on adjacent properties which could present material risk of harm to public health or to the environment. Recognized environmental conditions are defined within ASTM Designation E-1527-00 as the presence or likely presence of any hazardous wastes and/or substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

1.2 Scope of Services

The Phase I Scope of Services included the following tasks:

- A review of the current and past uses of the Site since 1917.
- A Site reconnaissance to assess evidence of current and/or past use or storage of toxic
 or hazardous materials; on-Site ponds, landfills, drywells, waste streams or other
 disposal units; visible soil discoloration; aboveground or underground storage tanks;
 electrical transformers containing polychlorinated biphenyls (PCBs); and drums,
 barrels and other storage containers.
- A visual review of adjacent properties to assess their potential to adversely impact the Site.
- A review of available federal and state Environmental Protection Agency (EPA) lists of known or potential hazardous waste sites or landfills, and sites currently under investigation for environmental violations in the Site area. Using area-profile services, Twining cataloged sites in the vicinity of the Site that have been identified on regulatory agency lists. Search criteria were in conformance with ASTM Standard E 1527-00.
- Contact with relevant municipal, county and state agencies to review readily available records and permits.
- Preparation of this written report to present the findings and conclusions.

The Scope of Services specifically excluded sampling and analysis for the potential presence of asbestos containing building materials, or an assessment for radon gas. In addition, the Scope of Services did not include the collection and/or analysis of air, soil, groundwater, or other environmental samples.

1.3 Limitations

The purpose of an environmental assessment is to reasonably assess the potential for, or actual impact of, past practices on a given site which may pose an environmental impairment to it. No assessment is thorough enough to identify all potential environmental impairments at a given site. If environmental impairments have not been identified during the assessment, such a finding should not, therefore, be construed as a guarantee of the absence of such conditions on the site, but rather the result of the services performed within the scope, limitations, and cost of the work performed.

The conclusions presented in this report are solely professional opinions based on information provided regarding the Site and the findings of the reconnaissance and records search. Information obtained from the aerial photographs is an interpretation of features observed in the photographs. Actual conditions at the Site may have been different from those interpreted. Conclusions presented are based on conditions as they existed at the time the work was performed. Changes in existing conditions of the Site due to time lapse, natural causes, or operations adjacent to the Site may deem conclusions presented invalid, unless the changes are reviewed and the conclusions reevaluated. Such conditions may require additional field and laboratory investigations to assess if the conclusions are applicable considering the changed conditions.

This work was performed for the sole use of our client, Browman Development Company. Any reliance on this report by a third party is at such party's sole risk. Others who seek to rely on the findings have a duty to determine the adequacy of this report for their intended use, time, and location. Twining does not warrant the accuracy of information supplied by others, nor the use of segregated portions of this report. No other warranty, either express or implied, is made. The standard of practice is time-dependent. Services provided were performed consistent with generally-accepted professional consulting principles and practices for environmental assessors in Santa Clara County, California at the time the work was performed. The findings and conclusions presented in this report are solely professional opinions derived in accordance with current standards of professional practice. There were no limiting conditions encountered during the completion of this Phase I, with the exception of the garage, pump houses, tack rooms, and sheds which were locked and unaccessible at the time of the Site reconnaissance.

2.0 SITE DESCRIPTION

Information concerning the Site was obtained from a Site reconnaissance conducted by Mr. Timothy Thomas of Twining, on June 3, 2004. Additional information was acquired from an interview with one of the Site owners, a review of environmental questionnaires completed by two of the owners, and a review of the documents referenced in this report.

Location and Description of the Site 2.1

The Site is located on the northeast corner of the intersection of Interstate 101 and Cochrane Road, in the city of Morgan Hill, Santa Clara County, California, on five irregular shaped parcels which encompass approximately 60 acres. The Santa Clara County Assessor's Office has assigned the following Assessor's Parcel Numbers (APN) and, and listed the owner as:

APN 728-37-004

Richard Sullivan 100 Molina Drive Santa Cruz, California 95060

APN 728-37-001 Jean Millerd-Low Strag souther to the comet than two of 1195 Cochrane Road and the second property of Morgan Hill, California 95037

APNs 728-37-002 728-37-005

728-37-007

George Guglielmo 1480 East Main Avenue Morgan Hill, California 95037

Parcel (APN 728-37-001) is located at the northeast corner of the Site and is developed as a horse boarding facility. Parcels (APNs 728-37-002, 005, and 007) are located at the center of the Site and are occupied by row crops. Parcel (APN 728-37-004) is located on the western portion of the Site and is being dry farmed to grow wheat. A Site location map is presented as Drawing 1, and a Site plan is presented as Drawing 2 in Appendix A.

Physical and Environmental Setting of the Site

Physical and environmental characteristics of the Site including topography, geology, soil and hydrogeology were evaluated based on Site observations, published literature, and maps.

Topography

Topographic map coverage of the Site is provided by the United States Geological Survey (USGS), Morgan Hill, California, 7.5-minute quadrangle map dated 1955, photo revised 1980. The Site lies within the OJO DE AGUA Lands of Morgan Hill, Township 1 South, Range 1 East, Mount Diablo Baseline and Meridian. According to the map, the Site is located at an elevation of approximately 390 feet above mean sea level, and the land surface slopes toward the west. Areas to the east of the Site appear to be topographically upgradient.

Browman Development Company A07261.01

Geology

The Site is located at the northeastern edge of the Santa Clara valley between the Santa Cruz mountains to the west and the Diablo Range to the east. The Santa Clara valley is a broad northwesterly trending alluvial basin. The older mesozoic rocks of the Santa Cruz mountains and the Diablo range have been buried in the Santa Clara valley by thick deposits of younger alluvial sediments. These sediments are divided into the lower Santa Clara formation, which is somewhat consolidated, and the upper quaternary alluvium, which is poorly consolidated. Both units consist of interbedded gravel, sand, and clay, and they cannot be reliably differentiated in well logs.

Near the hills, these sediments are typically coarser grained alluvial fan deposits with a high permeability. Toward the valley center, these fan deposits are integrated with finer grained gravel, sand, silt, and clay stream deposits.

Hydrogeology

The northeastern area of the Santa Clara valley contains a thick laterally extensive layer laid down during a period of time when the water of the San Francisco bay inundated the valley. This layer has divided the valley into a confined area with a thick aquitard separating shallow from deep aquifers and a recharge area closer to the hills. Shallow groundwater is typically found below surface grade (bsg) at less than 100 feet. Deeper aquifers (greater than 200 feet) are used for domestic water purposes. The depth of first encountered groundwater underlying the Site has not been assessed.

Soils

According to the Soil Survey of Santa Clara County, California, native soil in the vicinity of the Site is Arbuckle gravelly loam. Runoff is very slow, and the available water holding capacity is about 5 to 7 inches. The hazard to erosion is slight to none.

3.0 INFORMATION FROM THE SITE RECONNAISSANCE

The objective of the Site reconnaissance was to observe the Site for specific indicators of environmental concern. The methodology used during the Site reconnaissance included a systematic search of practically accessible areas of the Site and adjacent properties. A Site location map is presented as Drawing 1 in Appendix A, and a Site Plan depicting the Site, adjoining property use, and observed on-Site features is presented as Drawing 2 in Appendix A. Additionally, photographs were taken during the Site walk and selected photographs of the Site are presented in Appendix B. Twining's Site reconnaissance was conducted on June 3, 2004, by Mr. Thomas, a Twining environmental assessor. There were no significant limitations encountered, with the exception that the garage, pump houses, tack rooms, and sheds were locked and unaccessible at the time of the Site reconnaissance. The findings of the Site reconnaissance are summarized in the following sections.

3.1 Site Reconnaissance - Description of Structures, Roads, & Other Site Improvements

Numerous unpaved roads traverse the Site. The Site can be accessed from the south from Cochrane Road. The Site reconnaissance is described by parcel in the following paragraphs.

APN 728-37-001

This portion of the Site is a rectangular shaped parcel that is developed as a horse boarding facility with two residences. There are also seven out-buildings on this parcel which include a garage, tack rooms, a pump house, a restroom, and a hay barn. The remainder of this parcel consists of fenced pasture land.

APNs 728-37-002, 005, and 007 and some state of the restriction of the little of the latest of the state of the latest of the la

This portion of the Site consists of three irregularly shaped parcels that are agriculturally developed and occupied by row crops. There is a small vineyard located at the northern portion of APN 728-37-002. A residence is located near the center of APN 28-37-002. A well pump house and barn are located adjacent to this residence.

APN 728-37-004 or the few order and the least the least through the proof that the least test that the

This portion of the Site consists of one irregularly shaped parcel that is agriculturally developed with wheat. There were no structures, roads or other Site improvements on this parcel observed during the Site reconnaissance.

3.2 Current Uses of the Site

The Site is currently developed as rural residential properties occupied by a horse boarding facility, agricultural row and wheat crops.

3.3 Current Uses of the Adjoining Properties

The adjoining property to the north is residentially and agriculturally developed. Cochrane Road adjoins the Site to the south. Beyond Cochrane Road is residentially and agriculturally developed land. Adjoining the Site to the west is a Santa Clara Valley Water District (SCVWD) irrigation canal and beyond the irrigation canal is Interstate 101. Beyond Interstate 101 is agriculturally developed land.

3.4 Site Reconnaissance - Specific Indicators of Environmental Concern

Specific indicators of environmental concern were evaluated for the Site and adjacent properties during the Site reconnaissance. The environmental indicators evaluated included the following:

Hazardous Substances and Wastes

Evidence of hazardous substances and/or wastes were observed at the Site on the day of the Site reconnaissance. Four aboveground storage tanks containing agricultural chemicals were observed adjacent to the residence located on APN 728-37-002 (See ASTs below).

Solid Waste

Solid waste disposal for the Site is by a commercial hauler.

Drums

No drums or containers on-Site that contained hazardous wastes or substances were observed during the Site reconnaissance. However, four ASTs were identified on-Site (See ASTs below)

Underground Storage Tanks (USTs) / Aboveground Storage Tanks (ASTs)

No evidence of USTs were observed at the Site during the Site reconnaissance. However, four 400-gallon ASTs were located adjacent to the residence located on APN 728-37-002. The ASTs were labeled with AN-20, Driphlo acid, Thioal, and KTS. The ASTs are located on pallets on an unpaved surface. No visible contamination was observed beneath the ASTs during the Site reconnaissance. Additionally, one 10,000-gallon AST which contained water for fire safety, was observed west of the barn on APN 728-37-001.

Potential Polychlorinatedbiphenyl (PCB)-Containing Equipment

Twining observed seven pole-mounted transformers throughout the Site (See Site Plan in Appendix A for locations). The transformers are owned and operated by Pacific Gas and Electric Company. No leakage or staining associated with the transformers was observed. Twining did not observe any other equipment located on-Site which might contain PCBs.

Drains and Sumps

No drains or sumps were observed on the Site.

Utilities

Potable water is provided by on-Site water wells. According to the property owners, sewage disposal occurs by way of four on-Site septic tanks. However, the owners were unable to identify the locations of the septic tanks. Electricity for the area is provided by the Pacific Gas and Electric Company. Natural gas is not provided to the Site. Individual propane tanks are located near the residences. Details concerning the on-Site well is described below (See Water Wells below).

Wastewater

Wastewater is not generated at the Site.

Water Wells

Four water wells were observed at the Site. One domestic water well is located on the western portion of APN 728-37-001. A second domestic water well was located in the pump house on the northern portion of APN 728-37-002. Additionally, there is an irrigation water well located south of the pump house on APN 728-37-002. An abandoned irrigation well was observed between APNs 728-37-002 and 728-37-004. The pump was still attached to the abandoned well. However, the electricity for the pump had been disconnected.

Oil and Gas Wells

No on-Site oil or gas wells were identified during the Site reconnaissance or within California Department of Conservation - Division of Oil & Gas maps reviewed during this assessment.

Pits, Ponds, and Lagoons

No pits, ponds, and lagoons were identified on the Site.

Pipelines and Pipes of unknown use or origin.

No pipelines or pipes of unknown use or origin were observed on the Site.

Agriculture Chemicals

Evidence suggesting that agricultural chemicals were stored and formulated was observed during the Site reconnaissance, which is consistent with information provided in the environmental questionnaires. Because agriculture chemicals have been formulated on-Site and applied to portions of the Site, the possibility exists for environmentally persistent agriculture chemicals to remain in Site soils. Without the collection and analysis of soil samples, the environmental concern due to agricultural chemicals is unknown.

Other Physical Evidence of Contamination

No indications of contamination (i.e., stressed vegetation, stained soil and/or unusual odors) were observed on the Site the day of the Site reconnaissance.

4.0 HISTORICAL INFORMATION OF THE SITE AND ADJOINING PROPERTIES.

The history of land-use on and near the Site was determined from interviews, review of historic aerial photographs and topographic maps, Sanborn Fire Insurance maps, building permits, and historic city directories.

4.1 Aerial Photograph and Topographic Map Review

Available historical aerial photographs of the Site and vicinity for the years 1937, 1941, 1957, 1973, and 1999, were reviewed for indications of past use and/or activities which may have involved the manufacture, generation, use, storage, and/or disposal of hazardous materials. Additionally, historical topographic maps for the years 1917, and 1980 were reviewed for indications of past use of the Site. The aerial photographs and topographic maps were reviewed at the Earth Science Library, at the University of California, Berkeley, on Thursday, March 18, 2004.

- The 1917 topographic map reviewed for the Site identified two structures on-Site surrounded by agricultural land. The adjoining properties also appear to be in agriculture production.
- The 1937, 1941, 1957, and 1973 aerial photographs depict the Site with two rural residences surrounded by agricultural land. The adjoining properties also appear to be in agricultural production.
- The 1999 aerial photograph depicts the Site as it appeared during the Site reconnaissance. The adjoining properties to the north and south are residentially and agriculturally developed. The adjoining properties to the east and west are agriculturally developed.
- The 1980 topographic map reviewed for the Site identified two structures on-Site surrounded by agricultural land. The adjoining properties also appear to be in agriculture production.

4.2 Sanborn Fire Insurance Map Review

Twining reviewed Sanborn Fire Insurance Maps online at http://sanborn.umi.com, sponsored by Bell & Howell UMI. Sanborn Maps can provide historical information regarding a site. The available Sanborn Fire Insurance Maps for the city of San Jose do not include the Site.

4.3 Historical City Directory Review

City directories published by R.L. Polk Company (Polk) were reviewed at the Santa Clara County Library, located in San Jose, California. City directories can provide information concerning past and current occupancy of the Site. No city directories were identified for the Site.

4.4 Building Permit Review

The city of Morgan Hill Building Department (CMHBD), in Morgan Hill, California was contacted for information regarding the Site. No building permits were on file with the CMHBD for the Site.

4.5 Interviews and Discussion of Environmental Questionnaire and Disclosure Statement

Environmental Questionnaire and Disclosure Statements were submitted to the Site owners. Prior to the completion of this report, the questionnaire submitted to Mr. Sullivan had not been returned.

One questionnaire was completed and returned to Twining by Ms. Millard-Low. Additionally, Ms. Millard-Low was interviewed by Twining via telephone for information regarding the Site. Ms. Millard-Low, indicated during the telephone interview that she has owned APN 728-37-001 since 1977 and had no knowledge of any on-Site hazardous material storage, nor information regarding releases, or spills of hazardous materials at the Site as a result of illegal dumping, or traffic accidents along the adjoining roadways. Additionally, Ms. Millard-Low indicated that fill soil was placed throughout the Site. According to Ms. Millard-Low, imported fill soil was generated as a result of a Santa Clara Water District pipeline project that was installed approximately one mile north of the Site. The portion of the pipeline from which imported fill soil was derived was rangeland and agricultural land. No chemical analytical information for the imported fill soil was available. Ms. Millard-Low, further indicated that she had no knowledge of any current or former AST or USTs on her portion of the Site.

The second questionnaire was completed and returned to Twining by Mr. Guglielmo. Mr. Guglielmo, indicated in the questionnaire that he has owned APNs 728-37-002, 728-37-007, and 728-37-005 since 1940 and that the Site has been in agricultural use since. Mr. Guglielmo, knew of no spills of hazardous materials at the Site as a result of illegal dumping, or traffic accidents along the adjoining roadways. Mr. Guglielmo, further indicated that he had no knowledge of any current or former AST or USTs on his portion of the Site.

A copy of the questionnaires completed by Mr. Guglielmo and Ms. Millard-Low are presented in Appendix C.

4.6 Previous Investigations

Twining was not supplied with previous environmental investigations pertaining to the Site, nor were any identified during this Phase I.

4.7 Past Uses of the Site

Based on the historical information acquired during this Phase I, the following summarizes the past uses of the Site: The Site appears to have been agriculturally developed with rural residences from at least 1917, to the present.

4.8 Past Uses of the Adjoining Properties

Based on the historical information acquired during this Phase I, the following summarizes the past uses of the adjoining properties: All adjoining properties appear to have been agriculturally developed with scattered rural residences since at least 1917 to the present.

5.0 RECORDS REVIEW

Twining contracted Track Info Services (TIS) to search available federal, state, and local database information systems for the purpose of identifying known recognized environmental conditions present on the Site and nearby properties which have the potential to adversely impact the Site being assessed in this study. Information regarding the list, record, and permit review findings is summarized in Table 1. The complete report furnished by TIS is included in Appendix D.

SUMMARY OF REGULATO		ABUE I				
	SEARCH	PROXIMITY TO SITE (miles)				
SOURCE	RADIUS (mile)	ON-SITE	Within /g	76-7.		7.4
FEDERAL, NPL	1	NONE	NONE	NONE	NONE	NONE
FEDERAL, CERCLIS List	1/2	NONE	NONE	NONE	NONE	NA
FEDERAL, RCRA CORRACTS Facilities	1	NONE	NONE	NONE	NONE	NONE
FEDERAL, RCRA, Non- CORRACTS TSD Facilities	1/2	NONE	NONE	NONE	NONE	NONE
FEDERAL, RCRA Generators	Site and adjoining	NONE	NONE	NA	NA	NA
FEDERAL, ERNS List	Site	NONE	NONE	NONE	NA	NA
STATE (AWP, Cal Sites, CHMIRS, Notify 65 and Toxic Pits)	1	NONE	NONE	NONE	NONE	1
STATE (Cortese, CA Bond EXP. Plan)	1	NONE	NONE	NONE	NONE	NONE
STATE, Landfill, WMUDS/SWAT,	1/2	NONE	NONE	NONE	NONE	NA
STATE, SWRCB List of Registered USTs	1/4	NONE	NONE	NONE	NA	NA
STATE, RWQCB Facilities with Leaking USTs	1/2	NONE	NONE	NONE	NONE	NA
Oil/Gas Wells, <u>Munger Map Book</u>	Site	NONE	NONE	NA	NA	NA

NA = Not Applicable

5.1 Facilities Identified in the Regulatory Lists and Record Review

One facility, located with a half mile of the Site, was listed on the Cal State database. The listed facility was Madrine land Corporation, San Jose Trap and Sheet located at 645 Cochrane Road, approximately 0.44 miles south west of the Site. Based on distance and direction this facility is not considered to pose an environmental threat to the Site. Therefore, it is Twining's opinion that the environmental concern presented to the Site from off-Site sources appears low.

6.0 SUMMARY OF FINDINGS

The findings of the Phase I are summarized in the following sections:

6.1 On-Site

Based on the historical information acquired during this Phase I, the following summarizes the past uses of the Site: The Site appears to have been agriculturally developed with rural residences from at least 1917, to the present. Agricultural chemicals have reportedly been applied to the Site. Mr. Guglielmo provided a list of permitted agricultural chemicals applied to the Site. In addition four ASTs which appeared to contain agricultural chemicals (AN-20, Driphlo acid, Thioal, and KTS) were observed on-Site during the site reconnaissance. According to Ms. Millard-low, imported fill soil was applied to portions of her property. Ms. Millard-low, further indicated that the imported fill soil was derived was rangeland and agricultural land. No chemical analytical information for the imported fill soil was available. Mr. Guglielmo and Ms. Millard-low, had no knowledge of current or former USTs on-Site. Additionally, no USTs were identified during the Site reconnaissance. Although no USTs were identified during the Site reconnaissance and none were indicated from the current owners, the possibility exists that heating oil tanks may be present at the residence built in 1912. Additionally, USTs related to farming activities may also be present and unknown to the current owners.

6.2 Off-Site

Based on the historical information acquired during this Phase I, the following summarizes the past uses of the adjoining properties: All adjoining properties appear to have been agriculturally developed with rural residences since at least 1917 to the present. Investigations regarding facilities in the vicinity of the Site are either closed, or based on distance and direction are not considered to pose an environmental threat to the Site. Therefore, it is Twining's opinion that the environmental concern presented to the Site from off-Site sources appears low.

7.0 CONCLUSIONS

On behalf of Browman Development Company, Twining has performed a Phase I for the property located at the northeast corner of the intersection of Interstate 101 and Cochrane Road, in the city of Morgan Hill, Santa Clara County, California. This Phase I was performed during June 2004, and includes property that has been agriculturally and residentially developed since at least 1917. This Phase I has not identified any recognized environmental conditions in connection with the Site with the exception of the following:

- Because agriculture chemicals have been formulated and used on-Site the possibility exists
 that Site soils may have been impacted by environmentally persistent agricultural chemicals.
 Without the collection and analyses of soil samples, the impact to the Site is unknown.
- Fill soil was imported throughout Ms. Millard-Lows property. The imported fill soil was generated as a result of a Santa Clara Water District pipeline project that was installed approximately one mile north of the Site. The portion of the pipeline from which imported fill soil was derived was rangeland and agricultural land. Without the collection and analyses of soil samples, the impact to the Site form the imported fill soil is unknown.

The following is considered to be an environmental concern:

Four water wells were observed at the Site during the Site reconnaissance. Although the water wells are not considered recognized environmental conditions, they are considered a concern if they are not to be used in the future and are not properly abandoned. In the event that hazardous materials are spilled or dumped in, or near water wells, the wells can act as direct conduits for these contaminants to enter the groundwater beneath the Site. Therefore, if these wells are taken out of service, Twining recommends properly abandoning the wells in accordance with State of California Department of Water Resources standards for water well abandonment.

Twining recommends that if the on-Site water wells are not being utilized for future use at the Site, they should be destroyed in accordance with the State of California Department of Water Resources and county regulations.

8.0 CLOSING

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-00 of the Site. Any exceptions to, or deletions from, this practice are described in the following paragraph.

The material content of this report is intended to be consistent with a standard of practice as defined by ASTM practice E 1527-00. However, the report format differs in style, arrangement, and presentation of material facts from the format described by ASTM.

We appreciate the opportunity to be of service to you on this project. If you have questions regarding this report, please feel free to contact us at (559) 268-7021.

Sincerely,

THE TWINING LABORATORIES, INC.

Environmental Services Division

DRAFT

Timothy W. Thomas Environmental Assessor



William R. Cooper Senior Environmental Assessor

DRAFT

Jason R. Paul Environmental Services Division Manager

9.0 REFERENCES

- American Society for Testing and Materials, 2000, ASTM Standards on Environmental Site Assessments for Commercial Real Estate, 2nd ed., E 1527-00, Philadelphia, Pennsylvania.
- Munger, Averill H., Ed. 1994. Munger Map Book, California-Alaska Oil and Gas Fields. Munger: Los Angeles, California.
- United Sates Department of Agriculture, 1971, Soil Survey of Santa Clara County, California, SoilConservation Service in cooperation with the California Agricultural Experiment Station, U.S. Government Printing Office, Washington D.C.
- United States Geological Survey, 1917 photorevised 1980, Moran Hill, California Quadrangle, 7.5 Minute Series Topographic Map.

10.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

The Twining Laboratories, Inc. Phase I Environmental Site Assessment staff is composed of a group of environmental professionals that perform Environmental Site Assessments on a routine basis. The Phase I staff is managed and supervised by individuals who conduct, prepare, oversee, and/or review Environmental Site Assessments on a daily basis. Qualification profiles for these individuals are provided in the following section.

Timothy W. Thomas Environmental Assessor

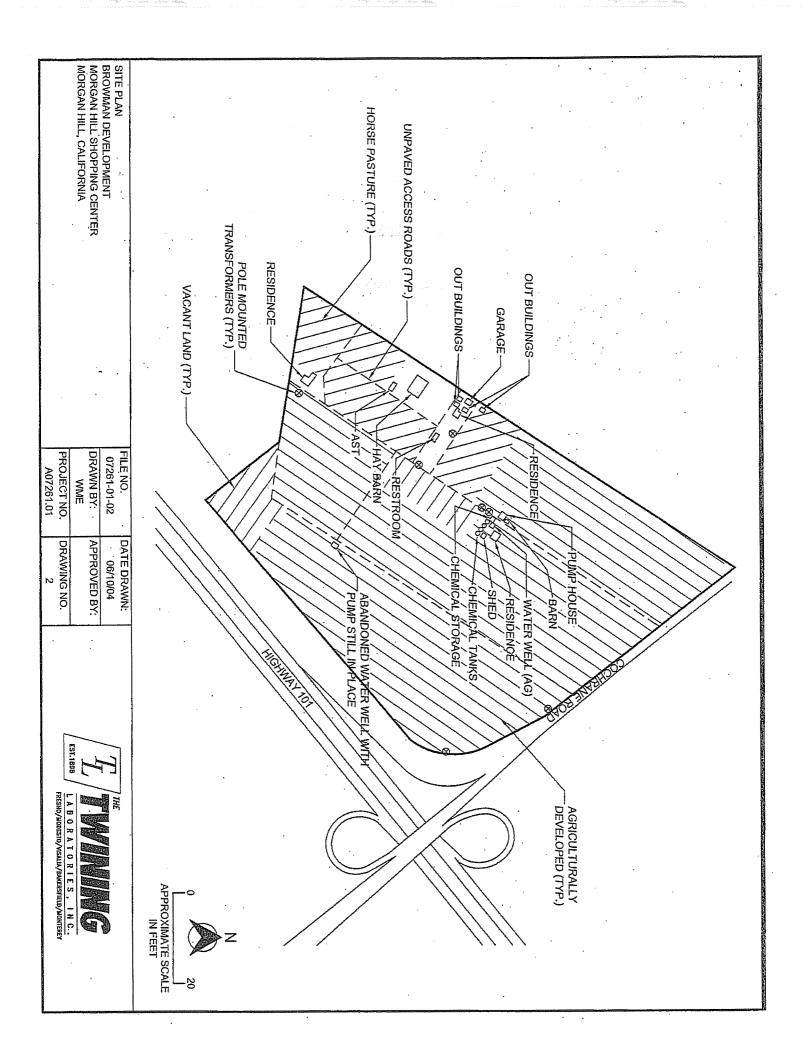
Mr. Thomas joined Twining's Environmental Division in May of 2002. Since joining Twining, Mr. Thomas has attended training courses for conducting Phase I environmental site assessments, and asbestos surveys. Mr. Thomas has successfully completed these courses and has received a site surveillance technician certification for conducting asbestos surveys. Mr. Thomas has performed more than fifty Phase I Environmental Site Assessments, Updates, and Real Estate Transaction Screens since May of 2002.

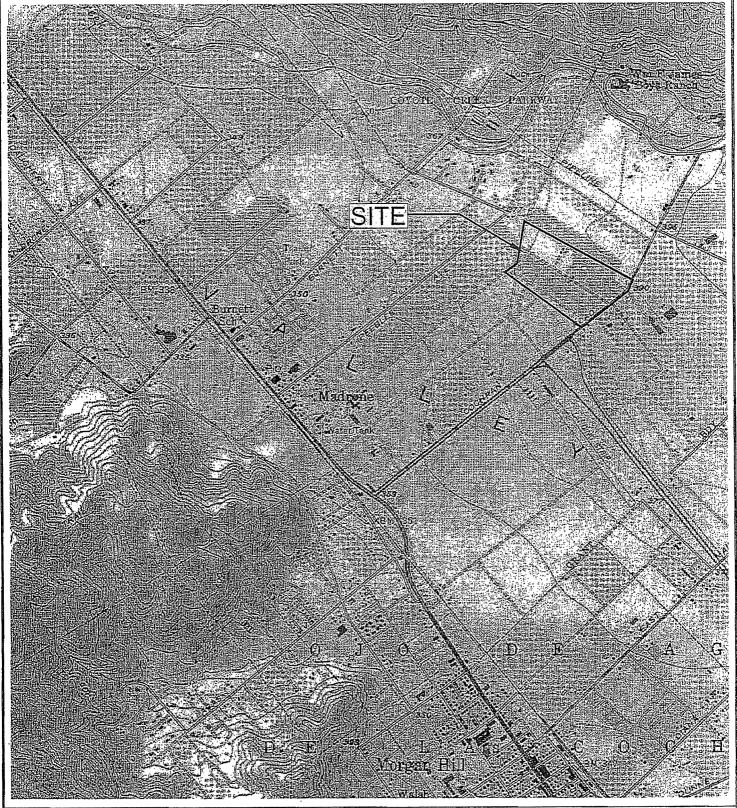
William R. Cooper Manager/Environmental Site Assessments

Mr. Cooper received a Bachelor of Arts degree in Geology from California State University Fresno in 1979, and is a State of California Registered Geologist, # 7427. He was professionally engaged in the petroleum industry in various capacities from 1980 through 1994. Mr. Cooper joined the environmental industry in 1994, and has been engaged as a project geologist and environmental assessor for several environmental services companies specializing in Preliminary Site Assessments, UST programs, soil and groundwater assessment, and cleanup programs. Mr. Cooper has performed numerous Phase I Environmental Site Assessments. Since joining Twining in 2001, he has participated in over three-hundred Environmental Site Assessments on diverse properties throughout California and Washington.

APPENDIX A

DRAWINGS





SOURCE: U.S.G.S. TOPOGRAPHIC MAP, 7 ½ MINUTE SERIES MORGAN HILL, CALIFORNIA QUADRANGLE, PHOTOREVISED 1980



SITE LOCATION MAP BROWMAN DEVELOPMENT MORGAN HILL SHOPPING CENTER MORGAN HILL, CALIFORNIA

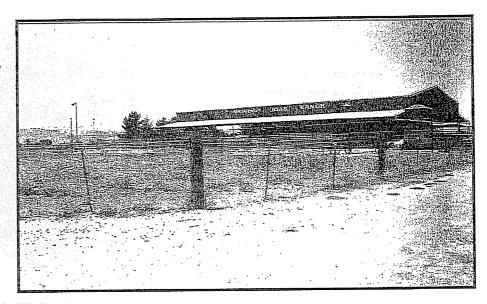
FILE NO.: 07261-01-01	DATE: 06/10/04		
DRAWN BY: WME	APPROVED BY:		
PROJECT NO. A07261.01	DRAWING NO.		



APPENDIX B

SITE PHOTOGRAPHS

(Millerd-Low Property) Typical view of the hay barn looking northwest.



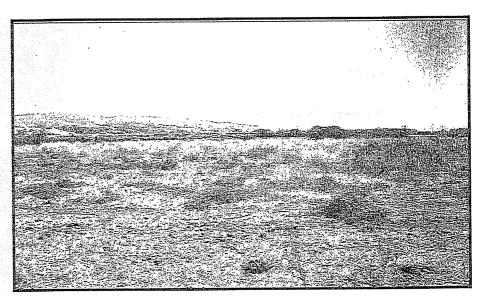
PHOTOGRAPH 2

(Millerd-Low Property) Typical view of the residence located at the southeastern portion of the property.

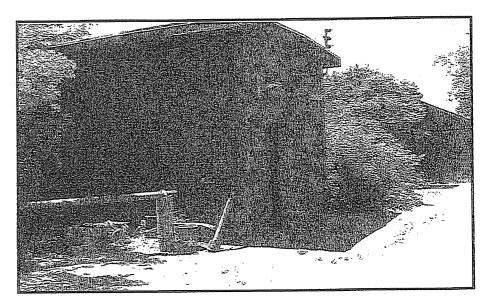


PHOTOGRAPH 3

(Millerd-Low Property) Typical view of the property looking south from the eastern portion of the Site.

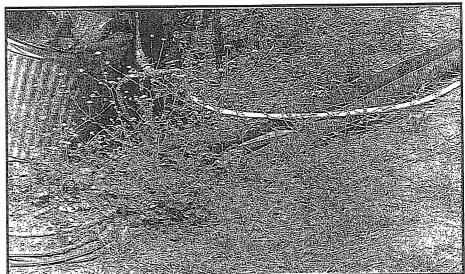


(Millerd-Low Property) View of the pump house located on the eastern portion of the property.



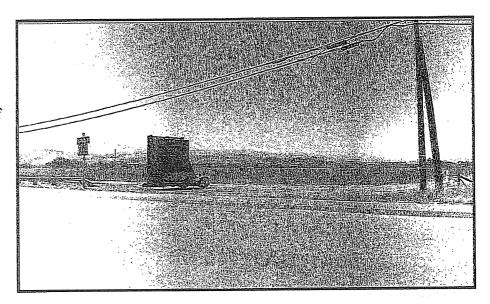
PHOTOGRAPH 5

(Millerd-Low Property) View the septic tank drain located west of the exterior restroom.

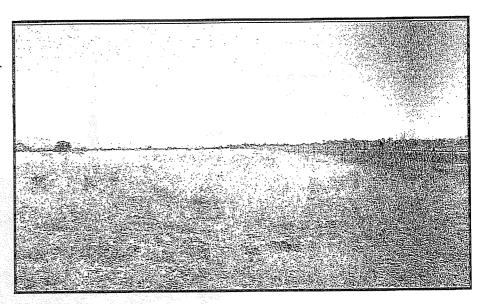


PHOTOGRAPH 6

(Guglielmo Property) Typical view of the property looking northwest from the southeast corner of the Site.



(Guglielmo Property) Typical view of the property looking south from the northwest corner of the Site.



PHOTOGRAPH 8

(Guglielmo Property) Typical view of the vineyard.

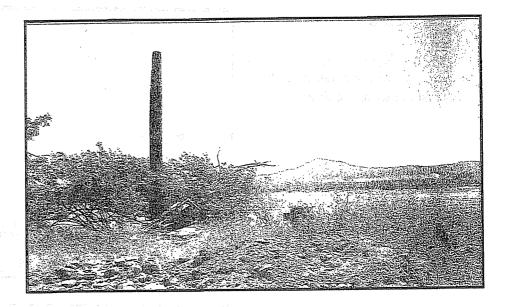


PHOTOGRAPH 9

(Guglielmo Property) Typical view of the property looking east from the pump house.

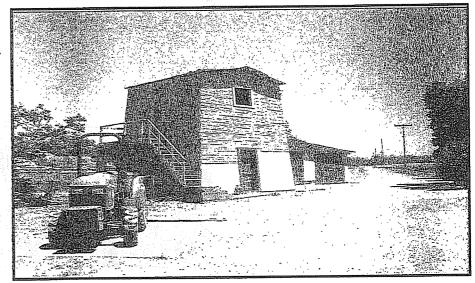


(Between Guglielmo Property and Sullivan Property) View of the abandoned irrigation well.



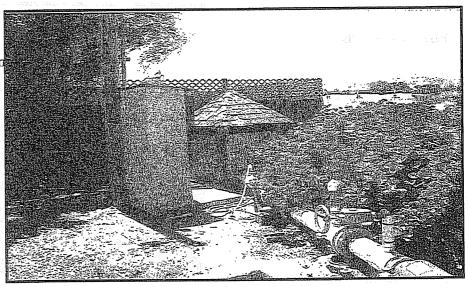
PHOTOGRAPH 11

(Guglielmo Property) Typical view of pump house looking south.

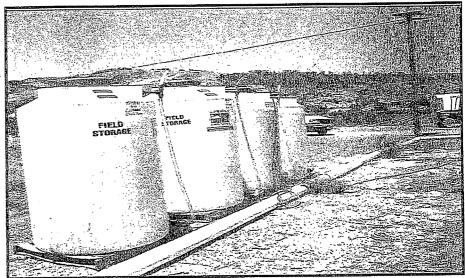


PHOTOGRAPH 12

(Guglielmo Property) View of irrigation well looking west.



(Guglielmo Property) View of the agriculture chemical tanks looking east.



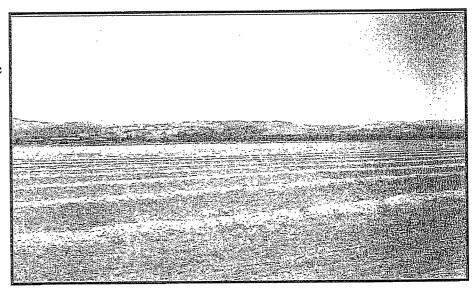
PHOTOGRAPH 14

(Sullivan Property) Typical view of the property looking north from the southwestern portion of the Site



PHOTOGRAPH 15

(Sullivan Property) Typical view of the property looking west from Cochrane Road.



TO SEE STORY

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APPENDIX C

ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENTS

			•

ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

GENERAL INSTRUCTIONS: Please fill-in the blanks to the best of your ability. If you do not know the answer, please check the "DON'T KNOW" box. If you answer "YES" or the answer requires explanation please use additional pages and reference the table. Thank you, for your time and cooperation.

	TEE INFORMATION:
Current Site Address	1195 COCHRANERO.
Current Site Use	EQUINE FACILITY
Current Site Zoning	REG; RETAIL
Current Assessor's Parcel Number	
Addresses Formerly Assigned to Site (if any)	N/A

SHEOWN	iership and paseu	SE ZZZZZZZ
OWNER NAVIE ADDRESS & PHONE	PERIOD OF OWNERSHIP USE	TEXPE OF USE
CURRENT MYLLERA LOW	27 VRS	EQUINT FAILLIM
FORMER TEXCARMACHAEC		EDUING FACICITY
FORMER DOOLEY		PRINCES

	ADJACENTEROPERTY USE		
DIRECTION	TYPE OF USES	LENG	THEOR USE:
North	HORSE PASTURE	27-	+YRS.
East	KINESARD TO STA	100	yrs,
South	KOU CHOKS HETCH FIGURE	>	nagy i sili
West	VANG YARD	Ч	And the second

	EXISTING STU	ESTRUCTURES :	
STRUCTURES DESCRIPTION	LOCATION	USE	TPATE OF CONSTRUCTION
LOUSE		Home	1912
		40mG	1940
HOUSE STEEL BARL POOL BARN			UNKAOUL

GARAGE/WE	LE PAISE		and the second s
	FORMER SHIP	STRUCTURUS	
STERMENTERS	FORMER		DATEOR
7 DESCRIPTION 2	FORMER S. FOCATION	TISE F.	S DEMOLITION S
	•	2. (\$4.72 a.c. \$ 2. (1.00 a.c.)	
WILLOUR			Nach Court of the A
brygon	entropy of the second second second		eta Komon aribe an y

	SHIE DESSEES / C.	
NAME ADDRESS & PHONE # -	TENGTHYEARS	ATYRE OF USE
PRESENT: 1195 COCHRANG BOAD	N/A	· k/4 ·
FORMER:		
FORMER:	•	- (1250년) - (1254년 전기 - (1254년)

	HUNTERS:
TUPHCTEY.	PROVIDER
Electricity to 9116	P.G.&E
Natural Gas ## KOUE	
Drinking Water WELL	PRIVATE USELL ON SITE
Storm water Drainage NO+C	
Storm water Drainage NONE Solid Waste Disposal NONE	0.040.200
Sanitary Sewer RPLIC 3 TANKS	The state of the s
Emergency Power Source	

****** PLEASE PROVIDE DETAILS FOR ALL YES ANSWERS ********

1		9201125002					
	SPECIFIC USES OF SITE OR		SITI	TERRESE SERVICES		XDJAC	440640
	ADHACENERROBERTA	YES	NO.	DONE.	YII S		DON II KNOW
İ	Agricultural chemical formulation, distribution, or application	•	X	·	X		
2	Airport and/or airplane maintenance		1/21			X	. 22
3	Automotive wrecking yard		120			N.	
4	Bulk chemical or fuel storage		<u>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</u>			مر	
5	Commercial printing	:	X	,		مح	
6	Dry cleaning		X			X	
7	Landfill		X			X	
8	Metal plating or finishing		X			X	
9	Mining or minerals processing		<u> </u>			X	
10	Motor vehicle or equipment repair and/or maintenance		×			N.	
1 <u>1</u>	Photographic laboratory	·	V			1X	
12	Service station		X			X	
13	Skeet shooting or gun club		<u>X</u>			10	
14	Releases, or spills of hazardous materials as a result of illegal dumping, or traffic accidents along the adjoining roadways.		×			×	
15	Waste treatment, storage, disposal, processing or recycling, other than a landfill		×	l'		×	

^{* &}quot;Adjacent Property" includes those properties that border the immediate site and properties located across the street from the site.

****** PLEASE PROVIDE DETAILS FOR ALL YES ANSWERS *******

	ON SITE HAZARDIOUS MATERIALS USE STORAGE AND DISPOSAL	YES.	No.	DON'IL KNOW
1	Are asbestos-containing materials present in on-site structures?		X	爱
2	Has an asbestos survey been conducted for on-site structures?		×	•
3	Are any electrical transformers or capacitors on-site?	-		\(\)
4	Are any electrical transformers or capacitors on-site not owned by an electrical utility?		X	
5 .	Has an Environmental Audit or Assessment been conducted for the site?	X		
6	Do you know of any current or former aboveground storage tanks?	×		
7	Do you know of any current or former <u>underground</u> storage tanks (not septic)?		X	·
8	Do you know of any fill dirt having been imported to the site?	文	<u> </u>	
9	Do you know of any current or former wells on site, including, domestic drinking water, irrigation water, disposal, oil and/or abandoned wells?	×		X
10	Do you know of any pesticides/herbicides permits for the site?	<u> </u>	X	
11	Do you know of any pesticides/herbicides stored or used on- site?		· X	
12	Are solvents, petroleum products, or paint products stored on- site?	A		
13	Are you aware of any permits having been issued for the site by the local fire environmental health, or air pollution control agencies?	X		

DONE BY CLTY OF MORYAM HILL IN MID-90 FOR AUTO MALL

****** PLEASE PROVIDE DETAILS FOR ALL YES ANSWERS ********

		7.7.2.E.	NAME OF THE OWNER, OF THE OWNER, OF THE OWNER, OF THE OWNER, OWNER, OWNER, OWNER, OWNER, OWNER, OWNER, OWNER,	
	STIE WASTE GENERATION STORAGE AND DISPOSAL	VES	NO	DONT KNOW
1	Is liquid waste disposed of to a septic tank on-site?	X	3	
2	Is liquid waste disposed of elsewhere on-site?		<u>X</u>	
3	Are any ponds, sumps, basins, lagoons, or clarifiers used on-site to collect, treat, or dispose of liquid?		×	
4	If liquid waste is disposed of on-site, is a waste discharge permit required?		×	
5	Is liquid waste disposed of to an off-site treatment works?		X	
6	Is solid waste disposed of on-site (burned or buried)?		X	
7	Does any solid or liquid off-site waste disposal require a waste manifest or disposal permit?		X	-
8	Is any hazardous waste generated, stored, or treated on-site?		X	70.
9	Are any spills or releases of hazardous materials known or suspected to have occurred at the site?		X	·
10	Is there another individual who may have additional or more complete information regarding the former use and activities at the site?		X	

Please provide details of any investigations of an environmental or geotechnical nature that have
been performed by you or by others related to the subject property. If you are not aware of any
investigation(s) that have been performed in the past regarding the subject property, whether or not a report was ever prepared and/or issued to you, please so state in the space below.
not a report was ever prepared and/or issued to you, please so state in the space below.
- E \$1.0 50.50 54 CF 1.15 CF 1
Please provide details of any conditions known to you that could represent an environmental
impairment to the subject property other than those items previously noted in this questionnaire. If you are not aware of any conditions, please so state in the space below.
11 you are not aware of any conditions, please so state in the space series.
To your knowledge, has the property been subject to any regulatory action related to
environmental conditions, whether or not a report was issued to you or filed with a regulatory agency. If you are not aware of any actions, please so state in the space below.
NOT AWARE OF ANY REGULATORY
THE PROPERTY OF LITTLE WAS IN A DEPT LITTLE DAY.
THIS ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT WAS PREPARED BY:
NAME KOBERT LAGCES TITLE
FIRM GRUBS & FICTS CO. RELATIONSHIP TO SITE
ADDRESS
100 VITZ 77:0
TELEPHONE NUMBER 408. 453, 2318 DATE
PREPARER REPRESENTS THAT TO THE BEST OF THE PREPARER'S KNOWLEDGE THE ABOVE
PREPARER REPRESENTS THAIL TO THE BEST OF THE TREE ALL THE BEST OF THE PREPARER'S STATEMENTS AND FACTS ARE TRUE AND CORRECT AND THAT TO THE BEST OF THE PREPARER'S KNOWLEDGE NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED.
Signed Date U/4/04
Signed Date Date
OUNTE C-4-04
OWNER Jean Millerdow VA-16-6-4-09
PHONG # 408-779-9240

ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

GENERAL INSTRUCTIONS: Please fill-in the blanks to the best of your ability. If you de not know the enswer, please check the "DON'T KNOW" box. If you answer "YES" or the answer requires explanation please use additional pages and reference the table. Thank you, for your time and cooperation.

	SITE INFORMATION		
Current Site Address	Agricul .		
Current Site Use	Agriculture		
Current Site Zoning	7,	,	
Current Assessor's Parcel Number	especialistic special control of the		
Addresses Formerly Assigned to Site (if any)			

SITE OWN	ership and past u	SE
OWNER NAME, ADDRESS & PHONE #	PERIOD OF OWNERSHIP/USE	TYPE OF USE
CURRENT Gyglielmo	1940	A.
FORMER		
FORMER		

	ADJACENT PROPERTY USE	
DURECTION	TYPE OF USE	LENGTH OF USE

North	AG		
East	Ac		
South	Hospital		
West	Ago was miles	the state of the s	1

	EXISTING SITE	SIRUCTORES	
STRUCTURE DESCRIPTION	LOCATION	USE	DATE OF CONSTRUCTION
owelling	and Magar	Rented	1930
Tank House.	The second secon	well	1930

	FORMER SITE	STRUCTURES		
STRUCTURE DESCRIPTION	FORMER LOCATION	USE	DATE OF DEMOLITION	
BarN	Next to Tunk Koose	storage	LAPO	
1111 · 11				

Si	TE LESSEES	
name, address & phone #	LENGTH/YEARS OF LEASE	type of use
RESERT Chiala Farms	14~	Agricultu
778-0562	gggasaka, a galaya a katilis	The state of the s

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	SITE UI	HITTES	
UTILITY		PROVIDER	
Electricity	yes	PG+E	
Natural Ges	NO.		
Drinking Water	YE5	Well	
Storm water Drainage	NO		
Solid Waste Disposal			
Smitary Sewer	Y€5	Septic Tank	
Emergency Power Source	No		

		2.52	SIT	<u>.</u>	j.	DJAC	ENT
#	SPECIFIC USES OF SITE AND ADJACENT PROPERTY	YES	סא	DON'T KNOW	YES	NO	DON'I KNOY
1A	Agricultural chemical formulation, distribution, or application	1					
2A	Airport and/or airplane maintenance		J			1	
3A	Automotive wrecking yard		V			1	
4A	Bulk chemical or fuel storage		1			V	
5A	Commercial printing		1			1	
бА	Dry cleaning		V			V	
7A	Landfill		~			V	
8A	Metal plating or finishing		VA			~	
9.A	Mining or minerals processing		Varan			V	
10A	Motor vehiole or equipment repair and/or maintenance		*			1	
11A	Photographic laboratory		V			1	
12A	Service station		V			3/	

Flige 4
The Twining Laboratories Inc.

		,		 		· · · · · · · · · · · · · · · · · · ·	-
13A	Skeet shooting or gun club		V	, :	,	أسرا	
14A	Releases, or spills of hazardous materials as a result of illegal dumping, or traffic accidents along the adjoining roadways.		~	1		5	
15A	Waste treatment, storage, disposal, processing or recycling, other than a landfill		/		~		

[&]quot;"Adjacent Property" includes those properties that border the immediate site and properties longered across the street from the site.

1A Grapes were Grown on this property
Herbicides + Fungisides were used
NRoundup gwetfuble Suffer

06/02/2004 11:53 4087793156

4084535636

The Twining Laboratoria Inc.

******** PLEASE PROVIDE DETAILS FOR ALL YES ANSWERS ******* Additional space is provided on page 7

#	on-site hazardous materials use, storage and disposal	YE S	NO	DÇ KA	
1B	Are asbestos-containing materials present in on-site structures?		100m		
233	Has an asbestos survey been conducted for on-site structures?		1/1		
3B	Are any electrical transformers or capacitors on-site?	June			
4 B	Are any electrical transformers or capacitors on-site not owned by an electrical utility?		V		
58	Has an Environmental Audit or Assessment been conducted for the site?			101	
6B -	Do you know of any current or former aboveground storage tanks?	1	James.		in in the second
7B	Do you know of any current or former underground storage tanks (not septic)?		V		
8B	Do you know of any fill dirt having been imported to the site?		سسسا	13 P	
9B	Do you know of any current or former wells on site, including, domestic drinking water, irrigation water, disposal, oil and/or abandoned wells?	مز		2 - 134 1880	
10B	Do you know of any pesticides/herbicides permits for the site?	V			
11B	Do you know of any pesticides/herbicides stored or used on- site?	V	41001		-
128	Are solvents, petroleum products, or paint products stored on- site?		1		
13B	Are you aware of any permits having been issued for the site by the local fire, environmental health, or air pollution control agencies?	-	9		

98 1. Domestic Well 1 As Well 1 Abankon Well

Fige 6 The Twining Laboratories Inc.

******** PLEASE PROVIDE DETAILS FOR ALL YES ANSWERS ********* Additional space is provided on page 7

#	site waste ceneration, storage and disposal	XIE S	NO	DO. Yen	-
1C	Is liquid waste disposed of to a septic tank on-site?	V-	3 N 15	1	
2C	Is liquid waste disposed of elsewhere on-site?		San		
3C	Are any ponds, sumps, basins, lagoons, or clarifiers used on- site to collect, treat, or dispose of liquid?		1		
4C	If liquid waste is disposed of on-site, is a waste discharge permit required?		3 + 398 1 	V	
5C	Is liquid waste disposed of to an off-site treatment works?		V		
6C	Is solid waste disposed of on-site (burned or buried)?		1		
7C	Does any solid or liquid off-site waste disposal require a waste manifest or disposal permit?			\	
8C	Is any hazardous waste generated, stored, or treated on-site?		V		
9C	Are any spills or releases of hazardous meterials known or suspected to have occurred at the site?	, A 1.52	1		
10C	Is there another individual who may have additional or more complete information regarding the former use and activities at the site?		1	1300	

Please provide details of any investigations of an environmental or geotechnical nature that have been performed by you or by others related to the subject property. If you are not aware of my investigation(s) that have been performed in the past regarding the subject property, whether or that report was ever prepared and/or issued to you, please so state in the space below.

Notice to my Knowledge

Please provide details of any conditions known to you that could represent an environmental impairment to the subject property other than those items previously noted in this questionnairs if you are not aware of any conditions, please so state in the space below.

Nove Known

To your knowledge, has the property been subject to any regulatory action related to environmental

The Twining Laboratoric Inc.

conditions, whether or not a report was issued to you or filed with a regulatory agency. If you are not aware of any actions, please so state in the space below.

PLEASE INDICATE IN THE BOXES BELOW IF THE FOLLOWING ITEMS EXILT AND IF YOU ARE ABLE TO PROVIDE THEM

Additional space is provided on page 7

	DOCUMENTS, REPORTS, LISTS, PLANS AND MAPS	Exists/Will Provide Copy	Existe/Will Not Provide Copy	Does Nat Exist	E K	
1D	Site plans and/or maps that include legal property boundaries	avvojejest ost	jiliyeri din inin in		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	, -
2D	Building plans (architectural, utilities and structural)	er digi tir gir ve tig i galari. Tanah kari digi tirangan salah kili	i entre de e Som ensembles i ong e	latiyas i si		na je
3D	Hazardous materials inventory	医阴影 四颗紫		· inner	1	
4D	Hazardous waste inventory			1	,	
5D	Previously conducted Environmental Site Assessments				7	*
6D	Reports of subsurface investigations performed on the site including analytical data		·		\$	
7D	Reports of subsurface investigations performed on adjacent properties including analytical data				V	
SD	Previously conducted geotechnical/soil investigations at the Site				V	
9D	Permits and location of USTs, sumps, pits, and drainage systems			-	V	
10D	Environmental permits and plans, including hazardous materials management plans, UST closure, etc.				V	

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The Twining Laboratoria, Inc.

IID	Agricultural Chemical Permits	usaki na ajaja n a la		jogan Den in	
12D	Literature or other sources of information regarding operations at the site				
13D	Individual who may have additional or more complete information regarding uses and activities at the site	n e Shaaqa a	alysisa Maria Mi	e waxa i	

PLEASE PROVIDE DETAILED INFORMATION FOR YES ANSWERS TO QUESTIONS (1A-15A), (1B-13B), (1C-10C)

ADDITIONALLY, PLEASE PROVIDE AN EXPLANATION WHY YOU ARE UNABLE TO PROVIDE (1D-13D) IF THEY EXIST

02/03/500d "II: 23

kge 9 The Twining Laboratories Inc.

This environmental questionnaire and disclosure statement was prepared by

RELATIONSHIP TO SITE

ADDRESS

TELEPHONE NUMBER 403 779-2145 DATE 8-

PREPARER REPRESENTS. THAT TO THE BEST OF THE PREPARER'S KNOWLEDGE THE ADJVE STATEMENTS AND FACTS ARE TRUE AND CORRECT AND THAT TO THE BEST OF THE PREPARER'S KNOWLEDGE NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED.

4087793166 02/05/500d TI:23

APPENDIX D

TIS REPORT